

T.P., Appellant

**U.S. POSTAL SERVICE, PROCESSING &
DISTRIBUTION CENTER, Pontiac, MI,
Employer**

Docket No. 21-1423
Issued: April 22, 2022

Case Submitted on the Record

Before:

On September 27, 2021 appellant filed a timely appeal from a September 13, 2021 merit decision of the Office of Workers' Compensation Programs (OWCP). The Clerk of the Appellate Boards docketed the appeal as No. 21-1423.

On June 6, 2021 appellant, then a 46-year-old mail processing clerk, filed a notice of recurrence (Form CA-2a) alleging that on June 2, 2021 he experienced a recurrence of an accepted May 2011 work-related injury under OWCP File No. xxxxxx611.¹ He explained that on the night of June 2, 2021 he processed larger mail volumes of more weight, along with repetitive movements.

In a report dated June 30, 2021, Dr. Steven Plomaritis, a Board-certified orthopedic surgeon, evaluated appellant's right shoulder. He noted that appellant had undergone a rotator cuff repair in 2012 and that appellant's increased symptoms were precipitated by higher demands in the workplace. Dr. Plomaritis reviewed a magnetic resonance imaging (MRI) scan of appellant's right shoulder, noting that it demonstrated compromise to the anterior aspect of the

¹ Appellant has a prior occupational disease claim that OWCP accepted for sprain of the rotator cuff capsule under OWCP File No. xxxxxxx611.

supraspinatus subdeltoid bursa and a slightly effused impingement injury to the superior lateral head. He diagnosed a sprain of the rotator cuff capsule on subsequent encounter.

It subsequently received a narrative statement dated June 29, 2021, wherein appellant explained that, following a November 2012 shoulder repair, he had continuously worked with his palms up as instructed by his surgeon, and modified his workloads to prevent re-injury. However, appellant stated that changes to his workload due to short staffing during the pandemic had affected his right shoulder. On August 11, 2021 OWCP converted appellant's recurrence claim to a new occupational disease claim assigned OWCP File No. xxxxxx243.

By decision dated September 13, 2021, OWCP denied appellant's occupational disease claim, finding that the medical evidence of record was insufficient to establish causal relationship between his diagnosed sprain of the right rotator cuff capsule and the accepted factors of his federal employment.

The Board, having duly considered this matter, finds that this case is not in posture for decision.

OWCP's procedures provide that cases should be administratively combined when correct adjudication depends on frequent cross-referencing between files and where two or more injuries occur to the same part of the body.² This will allow OWCP to consider all relevant claim files in developing this schedule award claim.³ In the present claim, appellant alleged a work-related diagnosis of sprain of the right rotator cuff capsule due to factors of his federal employment. As noted, appellant has a prior occupational disease claim under OWCP File No. xxxxxx611, accepted for sprain of the rotator cuff capsule. For a full and fair adjudication, the claim in OWCP File No. xxxxxx611 should be administratively combined with the present claim under File No. xxxxxx243.

Accordingly, the Board will remand the case to OWCP to administratively combine OWCP File Nos. xxxxxx611 and xxxxxx243. Following this and other such further development as deemed necessary, OWCP shall issue a *de novo* merit decision.

² Federal (FECA) Procedure Manual, Part 2 -- Claims, *File Maintenance and Management*, Chapter 2.400.8(c) (February 2000).

³ *Id.*

IT IS HEREBY ORDERED THAT the September 13, 2021 decision of the Office of Workers' Compensation Programs is set aside and the case is remanded to OWCP for further proceedings consistent with this order of the Board.

Issued: April 22, 2022
Washington, DC

Alec J. Koromilas, Chief Judge
Employees' Compensation Appeals Board

Patricia H. Fitzgerald, Deputy Chief Judge
Employees' Compensation Appeals Board

Janice B. Askin, Judge
Employees' Compensation Appeals Board